

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

# SENATE BILL 1512

AN ACT

AMENDING SECTION 15-808, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 9, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1044; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3016.01; MAKING AN APPROPRIATION; RELATING TO COMPUTER-BASED EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-808, Arizona Revised Statutes, is amended to  
3 read:

4 15-808. Technology assisted project-based instruction program:  
5 report

6 A. A technology assisted project-based instruction program shall be  
7 instituted on a pilot basis to meet the needs of pupils in the information  
8 age. ~~Until June 30, 2003, the state board of education shall select up to~~  
9 ~~four existing traditional public schools, at least one of which shall serve~~  
10 ~~pupils in kindergarten programs and grades one through twelve, and beginning~~  
11 ~~July 1, 2003~~ UNTIL THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, the  
12 state board of education shall select seven existing traditional public  
13 schools and the state board for charter schools shall select seven charter  
14 schools to participate in the program. BEGINNING NO LATER THAN THIRTY DAYS  
15 AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, THE STATE BOARD  
16 OF EDUCATION SHALL SELECT TEN EXISTING TRADITIONAL PUBLIC SCHOOLS AND THE  
17 STATE BOARD FOR CHARTER SCHOOLS SHALL SELECT TEN CHARTER SCHOOLS, TO  
18 PARTICIPATE IN THE PROGRAM. THE STATE BOARD OF EDUCATION AND THE STATE BOARD  
19 FOR CHARTER SCHOOLS SHALL GIVE SELECTION PREFERENCE TO SCHOOLS THAT HAVE  
20 DEMONSTRATED THE ABILITY TO DELIVER ON-LINE INSTRUCTION. THE SELECTIONS OF  
21 PARTICIPATING SCHOOLS SHALL BE based on the following criteria:

- 22 1. The depth and breadth of curriculum choices.
- 23 2. The variety of educational methodologies employed by the school and  
24 the means of addressing the unique needs and learning styles of targeted  
25 pupil populations including computer assisted learning systems, virtual  
26 classrooms, virtual laboratories, electronic field trips, electronic mail,  
27 virtual tutoring, on-line help desk, group chat sessions and noncomputer  
28 based activities performed under the direction of a certificated teacher.
- 29 3. The availability of an intranet or private network to safeguard  
30 pupils against predatory and pornographic elements of the internet.
- 31 4. The availability of filtered research access to the internet.
- 32 5. The availability of private individual electronic mail between  
33 pupils, teachers, administrators and parents in order to protect the  
34 confidentiality of pupil records and information.
- 35 6. The availability of broadcast quality television production and  
36 editing facilities on campus.
- 37 7. The availability of faculty members who are experienced in  
38 broadcast television production.
- 39 8. The availability of faculty members who are experienced with  
40 computer networks, the internet and computer animation.
- 41 9. The extent to which the school intends to develop partnerships with  
42 universities, community colleges and private businesses.
- 43 10. The services offered to developmentally disabled populations.
- 44 11. The grade levels that will be served by the program.

1           B. Notwithstanding subsection A of this section, any school that was  
2 previously approved to participate is required to reapply every five years  
3 for participation in the program. The state board of education and the state  
4 board for charter schools shall review the effectiveness of each  
5 participating school and other information that is contained in the annual  
6 report prescribed in subsection C of this section to determine whether to  
7 renew a school's participation in the technology assisted project-based  
8 instruction program. At least eighty per cent of the pupils who are accepted  
9 each academic school year in each school participating in the program must  
10 have been previously enrolled in and attended a public school in the previous  
11 school year. Kindergarten pupils shall not participate in the technology  
12 assisted project-based instruction program, except that a kindergarten pupil  
13 may participate in the program if the pupil has a sibling who is currently  
14 enrolled in and attending the program. Pupils who participate in the program  
15 are subject to the testing requirements prescribed in chapter 7, article 3 of  
16 this title. Upon enrollment, the school shall notify the parents or  
17 guardians of the pupil of the state testing requirements. If a pupil fails  
18 to comply with the testing requirements and the school administers the tests  
19 pursuant to this subsection to less than ninety-five per cent of the pupils  
20 in the program, the pupil shall not be allowed to participate in the program.

21           C. Each school selected by the state board of education to participate  
22 in the technology assisted project-based instruction program shall submit an  
23 annual report to the state board of education and the joint legislative  
24 budget committee. The state board of education and the state board for  
25 charter schools shall collaborate to develop a uniform reporting format to be  
26 used by all schools that participate in the program. Beginning July 1, 2003,  
27 each school selected by the state board for charter schools to participate in  
28 the technology assisted project-based instruction program shall submit an  
29 annual report to the state board for charter schools and the joint  
30 legislative budget committee. The reports shall be submitted by August 1 and  
31 shall include the following information:

32           1. A description of the educational services that are offered under  
33 the program and that specifically relate to the depth and breadth of the  
34 curriculum choices offered by the school.

35           2. A description of the effects of media and technology on the  
36 delivery of specific educational services to specific pupil populations.

37           3. Academic advancement as measured in grade level equivalents each  
38 academic year based on a standardized norm-referenced achievement test.

39           4. Data identified by the state board of education or the state board  
40 for charter schools, as appropriate, that compares the academic performance  
41 of pupils who participate in the technology assisted project-based  
42 instruction program with other pupils in this state and with pupils in that  
43 school who do not participate in the technology assisted project-based  
44 instruction program.

1           5. The results of a survey of pupil satisfaction with the program,  
2 including:

3           (a) Pupils' attitudes about delivery modalities employed by the  
4 school.

5           (b) Changes in pupils' attitudes toward learning in general.

6           (c) Changes in pupils' attitudes about their own ability to learn and  
7 about their own academic progress.

8           (d) Pupils' attitudes about the school they attend.

9           6. The results of a survey of parental satisfaction with the program,  
10 including:

11           (a) Parents' and their children's attitudes about the delivery  
12 modalities employed by the school.

13           (b) Changes in their children's attitudes about learning in general.

14           (c) Changes in their children's attitudes about their ability to learn  
15 and about their academic progress.

16           (d) Parents' and their children's attitudes about the school that the  
17 child attends.

18           7. A description of the availability and equitable distribution of  
19 educational services provided under the program including specific  
20 descriptions of the effectiveness of technology tools and modalities used to  
21 address the needs of any underserved populations targeted by the school.

22           8. A description of the operational and administrative efficiency of  
23 the program.

24           9. A description of the cost-effectiveness of the program.

25           D. The state board of education and joint legislative budget committee  
26 shall collaboratively compile and evaluate the information submitted in the  
27 annual reports by schools participating in the pilot program, pursuant to  
28 subsection C of this section. The state board of education and the joint  
29 legislative budget committee shall report their findings to the governor, the  
30 speaker of the house of representatives and the president of the senate by  
31 November 15 of each year.

32           E. Each school selected for the technology assisted project-based  
33 instruction program shall ensure that a daily log is maintained for each  
34 pupil who participates in the program. The daily log shall describe the  
35 amount of time spent by each pupil participating in the program pursuant to  
36 this section on academic tasks. The daily log shall be used by the school  
37 district or charter school to qualify the pupils who participate in the  
38 program in the school's average daily attendance calculations pursuant to  
39 section 15-901.

40           F. If a pupil is enrolled in a school district or charter school and  
41 also participates in the technology assisted project-based instruction  
42 program, the sum of the average daily membership, which includes enrollment  
43 as prescribed in section 15-901, subsection A, paragraph 2, subdivisions (a)  
44 and (b) and daily attendance as prescribed in section 15-901, subsection A,  
45 paragraph 6, for that pupil in the school district or charter school and in

1 the technology assisted project-based instruction program shall not exceed  
2 1.0. If the pupil is enrolled in a school district or a charter school and  
3 also participates in the technology assisted project-based instruction  
4 program and the sum of the daily membership or daily attendance for that  
5 pupil is greater than 1.0, the sum shall be reduced to 1.0 and shall be  
6 apportioned between the school district or charter school and the technology  
7 assisted project-based instruction program based on the percentage of total  
8 time that the pupil is enrolled or in attendance in the school district or  
9 charter school and the technology assisted project-based instruction program.  
10 The uniform system of financial records shall include guidelines for the  
11 apportionment of the pupil enrollment and attendance as provided in this  
12 subsection.

13 G. If at any time the superintendent of public instruction determines  
14 that a school district that was previously admitted to the technology  
15 assisted project-based instruction program is not meeting the criteria  
16 prescribed in subsection A of this section, the superintendent of public  
17 instruction may recommend that the state board of education replace that  
18 school district with a school district of the superintendent of public  
19 instruction's choice that meets the criteria prescribed in subsection A of  
20 this section. The state board of education shall consider and take formal  
21 action on the superintendent of public instruction's recommendation.

22 H. The enrollment of pupils that participate in the technology  
23 assisted project-based instruction program in each school that was previously  
24 approved to participate in the program shall not grow more than one hundred  
25 per cent in any fiscal year.

26 I. If the academic achievement of a pupil declines while the pupil is  
27 participating in the technology assisted project-based instruction program,  
28 the pupil's parents, the pupil's teachers and the principal or head teacher  
29 of the school shall confer to evaluate whether the pupil should be allowed to  
30 continue to participate in the program.

31 Sec. 2. Title 15, chapter 9, article 8, Arizona Revised Statutes, is  
32 amended by adding section 15-1044, to read:

33 ~~15-1044.~~ Arizona e-learning task force; duties

34 A. THE ARIZONA E-LEARNING TASK FORCE IS ESTABLISHED. THE TASK FORCE  
35 SHALL CONSIST OF THE FOLLOWING MEMBERS WHO SHALL BE APPOINTED ON OR BEFORE  
36 AUGUST 31, 2006:

37 1. TWO REPRESENTATIVES OF THE BUSINESS COMMUNITY WITH EXPERTISE IN  
38 TECHNOLOGY ISSUES, ONE OF WHOM SHALL BE APPOINTED BY THE GOVERNOR AND ONE OF  
39 WHOM SHALL BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

40 2. TWO PERSONS WHO SHALL HAVE A BACKGROUND IN PSYCHOMETRICS, ONE OF  
41 WHOM SHALL BE APPOINTED BY THE PRESIDENT OF THE SENATE AND ONE OF WHOM SHALL  
42 BE APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

43 3. TWO PERSONS WHO HAVE EXPERTISE IN CURRICULUM DEVELOPMENT, ONE OF  
44 WHOM SHALL BE APPOINTED BY THE GOVERNOR AND ONE OF WHOM SHALL BE APPOINTED BY  
45 THE PRESIDENT OF THE SENATE.

1           4. ONE TEACHER WHO PROVIDES INSTRUCTION IN GRADE SIX, SEVEN, EIGHT OR  
2 NINE IN A PUBLIC, PRIVATE OR CHARTER SCHOOL AND WHO IS APPOINTED BY THE  
3 SPEAKER OF THE HOUSE OF REPRESENTATIVES.

4           5. ONE PERSON WHO REPRESENTS A PUBLIC, PRIVATE OR CHARTER SCHOOL THAT  
5 PROVIDES INSTRUCTION IN GRADE SIX, SEVEN, EIGHT OR NINE AND WHO IS APPOINTED  
6 BY THE GOVERNOR.

7           6. ONE PERSON WHO REPRESENTS AN ENTITY THAT HAS AT LEAST TEN YEARS OF  
8 EXPERIENCE IN TEACHER TRAINING AND PROFESSIONAL DEVELOPMENT COURSEWORK AND  
9 THAT HAS PROVIDED SUCH TRAINING AND COURSEWORK TO AT LEAST FIVE THOUSAND  
10 TEACHERS AND WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE.

11          7. THE SUPERINTENDENT OF PUBLIC INSTRUCTION OR THE SUPERINTENDENT'S  
12 DESIGNEE.

13          8. THE DIRECTOR OF THE GOVERNMENT INFORMATION TECHNOLOGY AGENCY OR THE  
14 DIRECTOR'S DESIGNEE.

15          B. THE TASK FORCE SHALL ANNUALLY ELECT A CHAIRPERSON FROM AMONG THE  
16 MEMBERS OF THE TASK FORCE. THE DEPARTMENT OF EDUCATION SHALL PROVIDE STAFF  
17 SUPPORT FOR THE TASK FORCE.

18          C. THE INITIAL MEMBERS APPOINTED PURSUANT TO SUBSECTION A, PARAGRAPHS  
19 1 THROUGH 6 SHALL ASSIGN THEMSELVES BY LOT TO TERMS OF ONE, TWO AND THREE  
20 YEARS IN OFFICE. ALL SUBSEQUENT MEMBERS APPOINTED PURSUANT TO SUBSECTION A,  
21 PARAGRAPHS 1 THROUGH 6 SERVE THREE YEAR TERMS. THE CHAIRPERSON SHALL NOTIFY  
22 THE APPOINTING AUTHORITY OF THESE TERMS.

23          D. THE TASK FORCE SHALL:

24           1. EXAMINE E-LEARNING PROGRAMS IN OTHER STATES.

25           2. ANALYZE POTENTIAL METHODS TO IMPLEMENT E-LEARNING PROGRAMS IN THIS  
26 STATE.

27           3. DEVELOP INNOVATIVE E-LEARNING SOLUTIONS.

28           4. ANNUALLY REPORT TO THE LEGISLATURE REGARDING E-LEARNING PROGRAMS  
29 AND SOLUTIONS.

30          E. TASK FORCE MEMBERS ARE NOT ELIGIBLE FOR COMPENSATION, BUT TASK  
31 FORCE MEMBERS WHO ARE APPOINTED PURSUANT TO SUBSECTION A, PARAGRAPHS 1  
32 THROUGH 6 ARE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38,  
33 CHAPTER 4, ARTICLE 2 FROM MONIES APPROPRIATED TO THE DEPARTMENT OF EDUCATION.

34          Sec. 3. Title 41, chapter 27, article 2, Arizona Revised Statutes, is  
35 amended by adding section 41-3016.01, to read:

36          41-3016.01. E-learning task force; termination July 1, 2016

37          A. THE E-LEARNING TASK FORCE TERMINATES ON JULY 1, 2016.

38          B. SECTION 15-1044 IS REPEALED ON JANUARY 1, 2017.

39          Sec. 4. E-learning pilot program

40          A. The department of education, in cooperation with the e-learning  
41 task force established by section 15-1044, Arizona Revised Statutes, as added  
42 by this act, shall establish an e-learning pilot program at up to ten  
43 schools.

44          B. On or before December 15, 2006, the e-learning task force, in  
45 cooperation with the department of education, shall prepare an actionable

1 request for proposals to implement a three-year e-learning pilot program to  
2 help participating schools to achieve academic and motivational gains based  
3 on the state and national average and shall submit the preliminary request  
4 for proposals to the joint legislative budget committee for review and  
5 comment. The request for proposals shall require all responses to meet the  
6 government information technology agency standards. The request shall  
7 include:

8 1. The scope of work, including programmatic, performance and  
9 technical requirements, conceptual design, specifications and functional and  
10 operational elements for the delivery of the completed components of the  
11 pilot program.

12 2. A description of the qualifications required of the entity or group  
13 of entities that will be selected for the pilot program.

14 3. Copies of the contract documents that the successful bidder or  
15 group of bidders will be expected to sign.

16 4. A timeline for the design and completion of the pilot program.

17 5. The estimated cost of the components of the pilot program.

18 6. Any other information relevant to the pilot program.

19 C. Based on the comments received from the joint legislative budget  
20 committee, the task force shall finalize the request for proposals and the  
21 department of education shall issue the finalized request for proposals  
22 within thirty days after the hearing conducted by the joint legislative  
23 budget committee.

24 D. The department of education shall award a contract or contracts  
25 within one hundred eighty days after the issuance of the finalized request  
26 for proposals.

27 E. At least ten days before the department of education enters into a  
28 contract or contracts that result from the request for proposals, the  
29 superintendent of public instruction shall submit the provisions of the  
30 contract or contracts for review by the joint legislative budget committee in  
31 executive session.

32 F. The overall e-learning system shall be implemented through a  
33 three-year pilot program by an entity or a group of entities that delivers  
34 the following elements:

35 1. Program management by an organization that is capable of each of  
36 the following:

37 (a) Delivering reliable psychometric analysis of academic gains.

38 (b) Evaluating coursework for alignment with the academic standards  
39 adopted by the state board of education.

40 (c) Performing reliability analysis of electronic systems delivering  
41 coursework and assessments.

42 (d) Analysis and direction towards system improvements.

43 (e) Delivering monthly reports on the performance of the system and  
44 directing any corrective steps required to achieve success.

1           2. A central delivery or supporting system with the ability to deliver  
2 course work to fifty thousand students simultaneously at the highest  
3 reliability level both at home and at school.

4           3. Mathematics instruction through a digital curriculum system with  
5 coursework and assessments that are aligned with the academic standards  
6 adopted by the state board of education. The assessments shall provide  
7 formative and cumulative assessments aligned with the coursework, and shall  
8 provide percentile rank, grade level and scale scores on the Arizona  
9 instrument to measure standards test at the individual, classroom and school  
10 level on a real-time basis. The scale score reports on the Arizona  
11 instrument to measure standards test shall be on the same scale as the  
12 passing scale score for a high school diploma in this state. The entity or  
13 group of entities delivering the assessments shall be able to show that the  
14 entity or group of entities are capable of delivering these assessments with  
15 computer adaptive testing.

16           4. Lap-top technology to teachers and students involved in the pilot  
17 program.

18           5. Teacher training and professional development coursework and  
19 assessment. The teacher development and training shall be delivered by an  
20 entity or group of entities that has experience providing teacher training  
21 and professional development coursework and shall include both initial and  
22 ongoing components. The coursework shall include strategies and techniques  
23 to successfully integrate technological and digital resources into the daily  
24 work of students.

25           G. After the department of education and the e-learning task force  
26 have awarded a contract to the entity or group of entities that will  
27 implement the e-learning pilot program, the department of education, in  
28 cooperation with the e-learning task force, shall establish application  
29 procedures and additional selection criteria for schools that wish to apply  
30 for participation in the pilot program. The pilot program shall be conducted  
31 at up to ten schools that provide instruction in any two grades consisting of  
32 grade six, seven, eight or nine. Pupils in preschool programs, kindergarten  
33 programs, grades one through five and grades ten, eleven and twelve are not  
34 eligible to participate in the pilot program. These schools shall be able to  
35 demonstrate that the teachers who will participate in the pilot program are  
36 committed to the pilot program. The affected teachers shall complete the  
37 initial training and professional development component of the pilot program  
38 by the end of the fall semester of 2007.

39           H. In cooperation with the e-learning task force, the department of  
40 education shall submit a report on or before November 15, 2010 to the  
41 governor, the president of the senate and the speaker of the house of  
42 representatives that summarizes the results of the pilot program. The  
43 academic effectiveness of pupils in the pilot program shall be measured  
44 according to the existing assessment mechanisms prescribed in title 15,  
45 Arizona Revised Statutes. The department of education shall provide a copy



1 of this report to the secretary of state and the director of the Arizona  
2 state library, archives and public records.

3 I. Schools and pupils that participate in the technology assisted  
4 project-based instruction program established pursuant to section 15-808,  
5 Arizona Revised Statutes, are not eligible for participation in the pilot  
6 program.

7 Sec. 5. E-learning fund

8 The e-learning fund is established consisting of monies appropriated by  
9 the legislature and monies received from any other public and private  
10 sources. The department of education shall administer the fund, subject to  
11 the direction of the e-learning task force.

12 Sec. 6. Delayed repeal

13 Sections 4 and 5 of this act, relating to the e-learning pilot program  
14 and the e-learning fund, are repealed from and after August 31, 2011.

15 Sec. 7. Appropriation; department of education; e-learning  
16 pilot program; exemption

17 A. The sum of \$3,000,000 is appropriated from the state general fund  
18 to the department of education in fiscal year 2006-2007 to carry out the  
19 e-learning pilot program established by this act. The department of  
20 education may distribute the monies appropriated in this section in fiscal  
21 years 2006-2007, 2007-2008, 2008-2009 and 2009-2010.

22 B. The appropriation made in subsection A of this section is exempt  
23 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
24 lapsing of appropriations.

25 C. The department of education may retain up to five per cent of the  
26 monies appropriated pursuant to subsection A of this section for  
27 administrative costs of the department in connection with the e-learning  
28 pilot program, to provide technical assistance to schools that participate in  
29 the pilot program.